

**PATENT S/N: 08/975,940**  
**Attorney's Docket No. SST/816**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of: Alfred D. Commins et al

Conf. No. 1225

Application No.: 08/975,940

Examiner: MAI, Lanna

Filed: November 21, 1997

Art Unit: 3637

For: BUILDING WALL FOR RESISTING LATERAL FORCES

**MAIL STOP RCE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

"EXPRESS MAIL" MAILING LABEL No.

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on November 22, 2006.

Signed: \_\_\_\_\_

Charles R. Cypher

***INFORMATION DISCLOSURE STATEMENT SUBMITTED WITH A REQUEST FOR  
CONTINUED EXAMINATION FILED PRIOR TO PAYMENT OF THE ISSUE FEE***

Prosecution in the above-identified application is closed, as the Patent Office has issued a Notice of Allowance. This is a request for continued examination, accompanied by the appropriate fee and this submission, prior to payment of the Issue Fee. The submission constitutes an Information Disclosure Statement only. No changes to the claims are requested.

Applicant believes that no extension of time is required; however, this is a conditional petition and authorization to pay the necessary fees under 37 CFR §1.36(a) to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicant submits herewith patents, publications or other information, of which Applicant is aware that Applicant believes may be material to the examination of this application, and in respect of which, there may be a duty to disclose. The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this

EV 907 4903 961

information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

This information disclosure statement is accompanied by Form PTO/SB/08 (substitute for Form PTO-1449) and legible copies of all cited foreign patent documents and non-patent literature listed in said form. Pursuant to Notice of August 5, 2003, copies of cited U.S. patent documents and publications are not enclosed.

Further, in accordance with the provisions of 37 C.F.R. § 1.98(a)(3) and MPEP§ 609(III)(A)(3), Applicant submits that reference nos. B1 through and B3 are not in the English language and submits the following concise statements as to their relevance. Applicants' attorney has in his position what appear to be partial translations of these references and is enclosing those partial translations with the references.

B1 — Published Japanese Patent Application JP S54-152319-A

According to the partial translation, included with the this information disclosure statement, and the drawings, Applicants believe JP S54-152319-A describes an architectural panel having framing members or "a frame body" (1), a panel or "armoring material" (2), and a "band plate" (4) which appears to have triangular nail prongs or "wedge pieces" (3). The "band plate" (4) is disposed between the "frame body" (1) and the "armoring material" (2) and appears to attach to the "frame body" (1) and the "armoring material" (2) by means of the "wedge pieces" (3).

B2 — Published Japanese Utility Model Application JP S60-122420-U1

According to the partial translation, included with the this information disclosure statement, and the drawings, Applicants believe JP S60-122420-U1 describes a connection of a panel or plate to a frame member, the connection having a "plate" (4), a panel outer frame member (5), a c-shaped reinforcing member or "reinforcing fitting" (7) which appears to have a pair of side pieces (7a and 7b), and a "fastener" (6). The "reinforcing fitting" (7) clamps around the "plate" with one side piece (7b) of the "reinforcing fitting" (7) being disposed between the "plate" (4) and the frame member (5). The "reinforcing fitting" (7) appears to be attached to the "plate" (4) and the frame member (5) by means of a fastener 6 that runs through the side pieces (7a and 7b) of the "reinforcing fitting" (7) and through the "plate" (4) and the frame member (5).

B3 — Published Japanese Patent Application JP S60-85144-A

According to the partial translation, included with the this information disclosure statement, and the drawings, Applicants believe JP S60-85144-A describes a wall panel having frame members, consisting of end longitudinal frame members (2 or 2'), upper frame members (3 or 3') and lower frame members (4 or 4'), a structural surface member which Applicants believe is labeled 8 in the drawings, surface member fitting portions (2b or 2b', 3b', and 4b or 4b'), and fasteners 20. The surface member fitting portions (2b or 2b', 3b', and 4b or 4b')

appear to receive the edges of the structural surface member (8). The surface member fitting portions (2b or 2b', 3b', and 4b or 4b') appear to be attached to the frame members (2 or 2', 3 or 3', and 4 or 4') either with the aid of fasteners 20 that also pierce the structural surface member 8 or without the aid of fasteners 20.

The person making this certification is the practitioner who signs below on the basis of the information supplied by the inventor(s) and in the practitioner's file.

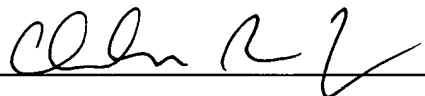
This Information Disclosure Statement is being filed with a Request for Continued Examination under 37 C.F.R. § 1.114 and the requisite fee under 37 CFR §1.17(e).

While no further fee is believed to be due for this paper, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-4075 (Atty. Dkt. No. SST/0816).

Respectfully submitted,

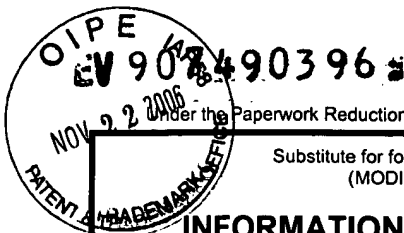
Date: Nov 22, 2006

Reg. No.: 41,694  
Tel. No.: 510-832-4111  
Fax No.: 510-832-4115  
Customer No.: 498



Charles R. Cypher  
Law Offices of James R. Cypher  
405 14th Street  
Suite 1607  
Oakland, CA 94612

Attachments: Return Receipt Post Card  
Form PTO/SB/30 (1 page)  
Copy Form PTO/SB/30 (1 page)  
Form PTO/SB/08 (1 page)  
3 cited references



MODIFIED PTO/SB/8A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449A/PTO (MODIFIED)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	08/975,940 Confirmation No. 1225	
			Filing Date	November 21, 1997	
			First Named Inventor	COMMINS, Alfred	
			Group Art Unit	3637	
			Examiner Name	LANNA, Mai	
Sheet	1	of	1	Attorney Docket Number	SST/0816

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1				
	A2				
	A3				
	A4				
	A5				
	A6				
	A7				
	A8				
	A9				
	A10				
	A11				
	A12				
	A13				
	A14				
	A15				
	A16				
	A17				
	A18				
	A19				
	A20				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	B1	JP S54-152319-A	11-30-1979	National Housing Building Material Co., Ltd.		
	B2	JP S60-122420-U1	08-17-1985	National Housing Industrial Co., Ltd.		
	B3	JP S60-85144-A	05-14-1985	National Housing Industrial Co., Ltd.		
	B4					
	B5					
	B6					

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. SST-0816US\_Form\_IDS\_RefList\_11-22-06.doc